



March 2, 2022

Via ECF

The Honorable Philip M. Halpern
U.S. District Judge
U.S. District Court for the
Southern District of New York
The Hon. Charles L. Briant Jr.
Federal Building and U.S. Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

**Re: Unopposed Letter Motion to Appear Telephonically at Upcoming Conference,
Jingyu Chen v. Yong Zhao Cai et al., Case No. 7:19-cv-05387**

Dear Judge Halpern:

The undersigned represents the Corporate Defendants in the above-captioned matter. I respectfully request leave of court to participate by telephone in the conference currently scheduled for April 20, 2022, at 2:00 PM.

On January 25, 2022, the Court scheduled a pre-motion conference for April 20, 2022, on the Cai Defendants' request for permission to file a motion for summary judgment. ECF No. 134. On March 1, 2022, the Court notified the Parties that certain discovery disputes between Plaintiff and Defendant Cheung will also be addressed at the conference. ECF No. 137. The same day, counsel for Defendant Cheung requested adjournment of the conference until the week of May 9th.

Good cause exists to permit telephonic appearance. The Court granted the Corporate Defendants leave to move to dismiss Plaintiff's Second Amended Complaint, ECF No. 110, and briefing on that motion was completed in June 2021 and is currently pending a decision. Discovery has not commenced between Plaintiff and the Corporate Defendants.

In addition, counsel for the Corporate Defendants is located in Washington, DC, and would have to travel from DC to White Plains for the hearing, incurring significant travel costs.

Because counsel anticipates that the conference will focus on the Cai Defendants' request for permission to file a motion for summary judgment and discovery disputes between Plaintiff and Defendant Cheung, counsel respectfully submits that the Corporate Defendants' participation by telephone would be appropriate. Counsel assures the Court that counsel can and will meaningfully participate by telephone in all respects as necessary.

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Application granted.

Ms. Marsh may appear at the May 9, 2022 conference by calling: (888) 398-2342; access code: 3456831.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 139.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Halpern'.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
March 3, 2022

I have conferred with counsel for the other parties, who do not oppose this request.

For the foregoing reasons, I respectfully request leave of court to appear by telephone at the April 20, 2022, conference (or any rescheduled conference based on Defendant Cheung's request).

Respectfully submitted,

/s/ Terri E. Marsh

Terri E. Marsh

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Counsel for the Corporate Defendants

CC: All counsel of record (via ECF)